

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**OJORE MULUMBA AJAMU, VII,**

)

**CASE NO. 4:10CV3220**

)

**Plaintiff,**

)

**v.**

)

**MEMORANDUM  
AND ORDER**

)

**DOUGLAS COUNTY DISTRICT  
COURT, et al.,**

)

)

)

**Defendants.**

)

)

This matter is before the court on Plaintiff's Motion to Amend Complaint and Amended Petition. (Filing Nos. [14](#) and [15](#).) The court dismissed Plaintiff's Complaint in this matter on January 5, 2011, without prejudice to reassertion in a habeas corpus or similar proceeding. (See Filing Nos. [12](#) and [13](#).) In response, Plaintiff filed a Motion to Amend Complaint (Filing No. [14](#)) and an Amended Petition (Filing No. [15](#)), which consists of an AO Form 241, Petition for Writ of Habeas Corpus by a Person in State Custody.

Because this case has been dismissed, and because it appears from Plaintiff's filings that he intended the Petition for Writ of Habeas Corpus to be filed in a separate action, IT IS THEREFORE ORDERED that:

1. Plaintiff's Motion to Amend Complaint (Filing No. [14](#)) is denied as moot; and
2. The Clerk of the court is directed to file Plaintiff's Petition for Writ of Habeas Corpus (Filing No. [15](#)) as a new case.

DATED this 9<sup>th</sup> day of February, 2011.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge

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